



Sen. John J. Cullerton

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09600HB0923sam002

LRB096 03396 AMC 40510 a

1 AMENDMENT TO HOUSE BILL 923

2 AMENDMENT NO. _____. Amend House Bill 923, AS AMENDED, by
3 replacing everything after the enacting clause with the
4 following:

5 "Section 5. The Illinois Pension Code is amended by
6 changing Section 4-110 as follows:

7 (40 ILCS 5/4-110) (from Ch. 108 1/2, par. 4-110)

8 Sec. 4-110. Disability pension - Line of duty. If a
9 firefighter, as the ~~the~~ result of sickness, accident or injury
10 incurred in or resulting from the performance of an act of duty
11 or from the cumulative effects of acts of duty, is found,
12 pursuant to Section 4-112, to be physically or mentally
13 permanently disabled for service in the fire department, so as
14 to render necessary his or her being placed on disability
15 pension, the firefighter shall be entitled to a disability
16 pension equal to the greater of (1) 65% of the monthly salary

1 attached to the rank held by him or her in the fire department
2 at the date he or she is removed from the municipality's fire
3 department payroll or (2) the retirement pension that the
4 firefighter would be eligible to receive if he or she retired
5 (but not including any automatic annual increase in that
6 retirement pension). A firefighter shall be considered "on
7 duty" while on any assignment approved by the chief of the fire
8 department, even though away from the municipality he or she
9 serves as a firefighter, if the assignment is related to the
10 fire protection service of the municipality.

11 Such firefighter shall also be entitled to a child's
12 disability benefit of \$20 a month on account of each unmarried
13 child less than 18 years of age and dependent upon the
14 firefighter for support, either the issue of the firefighter or
15 legally adopted by him or her. The total amount of child's
16 disability benefit payable to the firefighter, when added to
17 his or her disability pension, shall not exceed 75% of the
18 amount of salary which the firefighter was receiving at the
19 date of retirement.

20 Benefits payable on account of a child under this Section
21 shall not be reduced or terminated by reason of the child's
22 attainment of age 18 if he or she is then dependent by reason
23 of a physical or mental disability but shall continue to be
24 paid as long as such dependency continues. Individuals over the
25 age of 18 and adjudged to be disabled persons pursuant to
26 Article XIa of the Probate Act of 1975, except for persons

1 receiving benefits under Article III of the Illinois Public Aid
2 Code, shall be eligible to receive benefits under this Act.

3 If a firefighter dies while still disabled and receiving a
4 disability pension under this Section, the disability pension
5 shall continue to be paid to the firefighter's survivors in the
6 sequence provided in Section 4-114. A pension previously
7 granted under Section 4-114 to a survivor of a firefighter who
8 died while receiving a disability pension under this Section
9 shall be deemed to be a continuation of the pension provided
10 under this Section and shall be deemed to be in the nature of
11 worker's compensation payments. The changes to this Section
12 made by this amendatory Act of 1995 are intended to be
13 retroactive and are not limited to persons in service on or
14 after its effective date.

15 (Source: P.A. 93-1090, eff. 3-11-05.)".